

## REMARKS

Reconsideration and allowance are respectfully requested.

Claims 4, 5, 6, 7, 9, 11 and 12 have been cancelled without prejudice.

Claims 1 and 18 have been modified so that the formulation claimed is in tablet form for oral administration. Further Claims 1 and 18 have been modified to specify the extract of deep sea fish is a solid extract.

Two basic references have been cited, Dupont and Yamashita.

Dupont describes homogenizing a shark cartilage in an aqueous solution which is separated into a solid extract and a liquid extract, and then using the liquid extract for cosmetic application.

Yamashita describes extracting powdery *Aspalathus Linearis* or its heated and fermented material with water and an organic solvent, purifying the liquid and using it for cosmetic application. Yamashita only discloses using *Aspalathus Linearis* as a topical agent for usage on skin or hair and does not teach towards using *Aspalathus Linearis* in powder form and incorporating it in a tablet for oral administration.

Neither Dupont nor Yamashita described, suggested or would have made obvious a combination of the two liquid extracts.

In contrast, the present invention describes obtaining powders [0024] from "a solid fraction (SOLID EXTRACT)" that Dupont mentions but does not use and specifically excludes from use.

In further contrast, the present invention described using Rooibos (*Aspalathus Linearis*) powder [0027] Herbasec MPE Rooibus.

The present invention creates a new and unobvious composition of about 0.25-2.0 wt % deep sea fish protein powder and about 1-20 wt % of extract of Rooibus with fillers or agents in a pharmaceutical composition. The combination of an extract of deep sea fish and an extract of rooibus as pointed out in claims 1 and 18 is new and unobvious.

The percentage of the combination of an extract of deep sea fish and an extract of rooibus as pointed out in claims 1 and 18 are new and unobvious.

In contrast, Dupont and Yamashita each uses only one active ingredient extract.

The percentage ranges described in claim 1 and 18 are not described in or suggested by the references.

Claim 19 points out that the percentage of deep sea fish extract is about 24%. That is not suggested or made obvious by Dupont.

Claim 20 point out that the percentage of rooibus extract is about 1.40%. That is not suggested or made obvious by Yamashita.

Claim 13 further limits the deep sea fish extract to 0.5-1.5% of the new and unobvious composition. That would not have been obvious from any of the references.

Claim 14 further limits the deep sea fish extract to 1.0% of the new and unobvious composition. That would not have been obvious from any of the references.

Claim 15 further restricts the rooibos to about 2-12% of the new and unobvious composition. That would not have been obvious from any of the references.

Claim 16 further restricts the rooibos to about 3-10% of the new and unobvious composition. That would not have been obvious from any of the references.

Claim 17 further restricts the rooibos to about 5-8% of the new and unobvious composition. That would not have been obvious from any of the references.

Claim 8 further points out that the new and unobvious composition of claim 1 is in the form of a tablet.

Nothing in the references would have suggested the new and unobvious form of the new and unobvious composition.

The invention is new and unobvious.

The claims particularly point out new and unobvious features of the invention which are not found in, suggested by or made obvious by the prior art references.

A copy of the European Patent Specification EP 1 680 067, which was granted for the application in Europe, is attached.

### **CONCLUSION**

Reconsideration and allowance of the claims are requested.

Respectfully,

/James C. Wray/

James C. Wray, Reg. No. 22,693  
1493 Chain Bridge Road, Suite 300  
McLean, Virginia 22101  
Tel: (703) 442-4800  
Fax: (703) 448-7397

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